IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2696 OF 2000

Prakash B.Patil .. Petitioner
V/s
State of Maharashtra & Ors. .. Respondents

Mr.S.M.Sabrad for the Petitioner.
Mr.Vinay Sonpal, AGP for Respondent Nos.1 & 2.

CORAM : B.H.MARLAPALLE & NARESH H.PATIL, JJ.
DATE : 13th September, 2006.

P.C.:

. The Petitioner had taken an exception in the proclamation dated 9/2/2000 published by the Maharashtra Public Service Commission to fill-in the post of Charity Commissioner. During the pendency of this petition, undoubtedly, the posts of Joint Charity Commissioner, Deputy Charity Commissioner & Assistant Charity Commissioner are filled-in by nomination as well as by deputation of judicial officers and the impugned advertisement was not acted upon in view of the order of status-quo granted in the petition.

. An affidavit filed by the Additional Registrar (Legal) on behalf of the administration of the High Court, supports the petitioner's case that the post of Charity Commissioner ought to be filled-in in accordance with the requirements of Article 233 of the Constitution. At present the post of Charity Commissioner is occupied by a senior District Judge deputed on ex-cadre post. The petition has served its cause by now and nothing further survives in the petition, notwithstanding whether the petition has been restored to file or not. Hence petition is disposed of as infructuous.

(NARESH H.PATIL, J.) (B.H.MARLAPALLE, J.)